IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PRIYA ANAND,

        Plaintiff,

   v.

VIJAY INBASAGARAN,

        Defendant.

Case No. 3:18-cv-2021-AC

OPINION AND ORDER

MOSMAN, J.,

On June 8, 2020, Magistrate Judge John V. Acosta issued his Findings and Recommendation ("F&R") [ECF 45], recommending that this court GRANT Mr. Inbasagaran's Motion for Judgment on the Pleadings [ECF 36] and DENY his Motion for Summary Judgment [ECF 37]. Plaintiff objected. [ECF 47]. Defendant filed a response. [ECF 48]. Upon review, I agree with Judge Acosta, and I GRANT the Motion for Judgment on the Pleadings and DENY the Motion for Summary Judgment.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121

(9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R

depends on whether or not objections have been filed, in either case, I am free to accept, reject,

or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge Acosta's recommendation and I ADOPT the F&R [45].

I GRANT Mr. Inbasagaran's Motion for Judgment on the Pleadings [36] and DENY his Motion

for Summary Judgment [37].

IT IS SO ORDERED.

DATED this 13 day of July, 2020.

Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge

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